

SUNSHINE CANYON LANDFILL – COMMUNITY ADVISORY COMMITTEE
CITY AND COUNTY OF LOS ANGELES
MINUTES OF MEETING
Thursday, November 3, 2011, 3 P.M.
Knollwood Country Club
12024 Balboa Boulevard, Granada Hills, CA 91344

A. The meeting was called to order by Chair Becky Bendikson at 3:04 P.M.

Roll call was called by Agnes Lewis.

PRESENT: SUNSHINE CANYON LANDFILL – COMMUNITY ADVISORY COMMITTEE

Members: Maria Armoudian, Becky Bendikson, Jeanette Capaldi, Gale Gundersen, Hunter, Josh Jordahl, Mary Anna Kienholz. **Absent:** Joe Vitti. Quorum established with seven. Wayde

REPRESENTATIVES FROM THE CITY, COUNTY, AND REPUBLIC SERVICES:

SCL-LEA: David Thompson, Wayne Tsuda; SUPERVISOR ANTONOVICH'S OFFICE: Jarrod DeGonia; BFI/REPUBLIC SERVICES: David Cieply, Jim Teter; SCAQMD: David Jones, Larry Israel, Ed Pupka, Nicholas Sanchez; CD 12 OFFICE: Nicole Bernson; LOS ANGELES COUNTY REGIONAL PLANNING: Iris Chi; LOS ANGELES CITY PLANNING: Ly Lam; MEMBERS OF THE PUBLIC: Jan Subar (GHNNC), Ralph Kroy (GHNNC), Cherie Mann, Anne Ziliak (GHNNC), Allen Hecht, Mike Mohajer, Jarred Degonia, Bob Oger, Joyce Edlelman, Martin Levine, Carmen [undecipherable], Zach Granat, Gary Arnold, , Bob Elliott, Vaune Kirby, Meg H Volk, Lata Mathrani, Sona Dollay, Roxie Deukmedjian, Skye Williams.

Ms. Bendikson thanked the members of the public for attending. She invited all to sign in, but made it clear that the members of the public may remain anonymous if they so wish.

B. Old Business:

1. Discussion of any outstanding administrative matters (Chair):

- Ms. Bendikson asked the representatives of the landfill about the status of the annual check (payment for expenses & consultants), which by agreement (MOU) they are supposed to forward each October 1st. Last year there was a three-month delay. Again this year there is no sign of the payment. Mr. Cieply said he would look into it.
- Ms. Bendikson requested that CAC members notify her if they will be unable to attend meetings. The Committee welcomed the newest member of the CAC, Maria Armoudian, who was appointed by the City. Ms. Armoudian was asked to tell the audience about herself. She indicated that she had worked in State government, was an author, a radio show host, and among other activities served on the City of Los Angeles Environmental Affairs Commission for 6 years.
- Nominations for the position of Treasurer were solicited again as there were no nominations at the September 1, 2011 meeting. Mr. Jordahl nominated himself, Mr. Hunter seconded. **Carried** unanimously.

- Nominations for an Alternate Representative to the SCL-TAC (Sunshine Canyon Landfill-Technical Advisory Committee) were solicited as the need to have the SCL-CAC represented at the meetings is very important (Mr. Jordahl is primary). Mr. Hunter nominated himself, and both Ms. Kienholz and Ms. Capaldi seconded. **Carried** unanimously.
- The Minutes contained a section on page 4, second paragraph, where the comments were inaudible. Mr. Hunter asked whether anyone could clarify that section. No one could. There was then a motion to approve (Hunter/Capaldi); approved unanimously (action took place later in the meeting but is listed here for clarity).

2. Treasurer's Report (Mr. Hunter): The Treasurer's report was distributed before the start of the meeting. Mr. Hunter acknowledged that the information had been provided by Ms. Kienholz, who has resigned as Treasurer. The consultant savings account balance as of June 30, 2011 was \$80,051, and is now \$69,335.24. The checking account balance is \$1,964.83. A new consultant checking account was opened with \$7,000 from the consultant savings account; the balance there is \$4,151.61. Total funds are \$75,551.68. Mr. Hunter reminded members that according to the MOU with SCL, the SCL-CAC should get \$6,000 on October 1, 2011, for the next year's administrative expenses, and \$20,000 in funds for consultant expenses.

C. New Business:

1. BFI/Republic Report: (Mr. Cieply) SCL is "spending copious amounts of money" to update the site. The improved gas collection system is being completed in three phases. Eighty-five (85) new wells were installed, and sixty-five (65) non-performing ones were decommissioned. They are installing 6500 linear feet of 36" diameter pipe as a main collector; 4400 linear feet have been placed so far. They have installed 24 new isolation valves which can isolate an area without impacting others. There will also be 8800 feet of horizontal collectors, running 40 feet down.

On the odor patrol: the SCL elevated the environmental manager, and also assigned the odor patrol as a responsibility of this position. That person is now Patti Costa, a registered civil engineer. The odor patrol now operates 7 days a week, 5:30 a.m. to 10:30 a.m., and 5:30 p.m. to 11:00 p.m. A second person is now also involved.

There are 75 acres of intermediate slopes, and they (BFI) are required to place vegetation on them. They have done extensive slope repairs. More than half of the area is now hydro-seeded; after that comes the rest of the vegetation. They are also charged with controlling all surface water.

Since the last meeting, there have been 10 "special occurrences." These were primarily radiation loads detected by radiation monitors (installed) exactly to prevent them from being placed in the landfill. Most cases, for example, are adult diapers from nursing homes, usually from people undergoing radiation treatment for cancer. Other incidents may be like a

prick through a boot or finger cut, or the like. They (BFI) are making preparations for the upcoming wet weather.

Question Ms. Kienholz: Why does the landfill accept such material, since even hospitals have to put it into special containers. Others audience members wanted clarification on whether low-grade radioactive material is acceptable. Answer (Mr. Teeter): The monitors are in place to prevent such material coming in unbeknown to the landfill. Usually it's from people recovering at home; it's usually Iodine (131), which has a short half-life. Comment Mr. Tsuda (SCL-LEA): The very low radiation trash is usually mixed with regular trash and could not be found without the monitors. The landfill cannot accept it. This is segregated and reported, and a Medical Waste Unit (State) is summoned, and manages it. The (detected) matter is tested again a few days later to see whether the radiation rate has dropped far enough. Ms. Armoudian inquired about the possibility of having reports on this matter from the Department of Health; Ms. Chi (County Planning) said these reports are already available. Mr. Hunter commented that the landfill will identify and report all radioactive material, every occurrence of which is logged. Reports are forwarded through email.

Comment Ms. Mann (audience): She urged that the landfill consider the quality of the soil, not just plant materials, in their vegetation plans. Mr. Cieply pointed out that they do have soil reports for the areas where vegetation is added, and that these reports help determine what kind of seed is used.

Question Mr. Williams (audience): He wanted to know why neighbors should believe that things are getting better? Answer Mr. Cieply (BFI): They are committed to improving the situation, but he understands that they will have to prove it. Comment Mr. Teter (BFI): Since the last meeting they're capturing 36% more of the gas, to an average of 9,500 - 10,000 cubic feet per day.

There was a discussion among audience members about what information is or should be routinely available to property buyers. Meg Volk (audience): Commented that she is a real estate agent, and clarified that in Granada Hills a standard disclosure on real estate transactions routinely includes the landfill, though it's mixed in with other issues such as the proximity to Van Nuys Airport and Bob Hope (Burbank) Airport.

Some of the audience commented that the odors are so bad sometimes that all outside activity, such as watering plants with a hose, must stop; and that this level of inconvenience is not normally disclosed.

SCL representatives responded at one point to an audience question, with the information that there are 380 vertical wells, using 6" diameter pipes; these come together at a 36" collector pipe.

2. SCAQMD Report: Larry Israel stated that he is one of the compliance inspectors, and said that there were handouts summarizing the September and October odor complaints. Seven NOVs (notices of violation) were issued for a “public nuisance”. In September, there were 181 odor complaints, of which he was assigned to 156. For example, on September 1, 2011 the public nuisance violations were primarily at Van Gogh Elementary school, and 26 complaints were verified that morning. There were two NOVs for surface emissions, one on September 2nd and another on September 29th. In October, there were 191 odor complaints. In the mornings and evenings they tend to be mostly trash odors, while evening complaints tend to be mostly about landfill gas.

They (SCAQMD) try to respond to the complaints in as timely manner as possible, because, of course, the odors tend to dissipate, and then they are harder to verify. In November, there were 11 complaints so far, and no NOVs. The reports list times and descriptions: LG (landfill gas); TR (trash); 00 (different source, not the landfill); and NR (did not respond, not verified). Ms. Armoudian asked whether the complaints could be aggregated by type, and receive an affirmative answer. Mr. Hecht asked that the data be graphed so it can easily be compared to other periods.

Mr. Edwin Pupka of the SCAQMD clarified that Mr. Israel is not the only inspector; another one has been added recently. As to the requests on representing the data, there have been some very good ideas. The AQMD has noticed a drift in the description of odors; they are now more related to the gas collection system. In answer to previous questions, the inspectors are not there to do any sampling of the air; they are to verify odor complaints. On concerns about possible toxins, he is thinking that the landfill should probably do more sampling near the elementary school. Methane is the carrier gas, but there are others in much smaller quantities that might potentially harm people, but it would mostly affect people standing within a foot or two of the source.

The SCAQMD has filed a petition to amend the Order of Abatement to expand the areas of concern. They are working with other departments and agencies; they need to do a better job of communicating among themselves. They’re in the process of disseminating more information into the community. In June there was the first Interagency Task Force meeting on the landfill, which proved to be very productive. In September there was the first ever joint inspection in order to get a better overall picture of the situation. They did find areas of concern, particularly surface emissions. The agencies are all making an effort to work even more closely. One of the most critical areas of cooperation is to bring information to the AQMD Hearing Board and amend the Order of Abatement.

Nicholas Sanchez, Attorney for the SCAQMD said they wanted to know what would be the most effective way to bring expedited relief to the problem:

- Expand improvements to the gas collection system – this leads to a bigger volume of gas, which even if handled better might exacerbate the problem;
- Bring in additional flares – There is a joint area of collection between the County and the City, and requires burning off more excess gas.

- Do additional monitoring, and install new wells whenever they detect local increases.
- Do physical models to determine why odors are travelling through the community; and divert the air from the community.
- Ask for an environmental observer on a 24-hour basis to address issues more quickly.
- Asked for more extensive ambient air monitoring, which copies EPA monitoring. Ask to identify what exactly the community is subject to, and also see seasonal impacts.
- Allow queuing of trash trucks inside the landfill, not outside.
- They want spotters and signage for the trucks to avoid damaging the structures within the landfill.

There will be four (4) days of hearings where the community will have an opportunity to comment before the hearing Board. They have designated November 19, 29, 30, and December 3, 2011. The December 3rd meeting will be at the San Fernando Valley Academy of Arts and Sciences (SFVAAS), the new high school, in order to facilitate broad participation. He also encouraged the audience to write a letter for the record; they may be addressed to him or to the Hearing Board. This (action) was filed as a contested hearing; he is hopeful that the Board will agree to a majority of the requests. As to penalties or fines, the SCAQMD does not issue those until the matter is resolved; they prefer that the landfill concentrate instead on finding a resolution.

Motion (Hunter/ Armoudian): *That the SCL-CAC write a letter in support of the SCAQMD stipulated amendments. Carried 5-0-1 abstention.*

Motion: (Hunter Armoudian): *That the SCL-CAC request the SCAQMD produce a chart of historical trends of complaints similar to the one produced by the LA County Public Works for 1995 to the present.* Mr. Pupka asked for clarification on whether this takes the place of what he committed to produce. Mr. Hunter suggested adding the words “**at a minimum.**” Also the Motion was amended to **include “a report of monthly odor complaints from January 2009 and on-going.” Carried 6-0-1.**

There was an audience comment that the MSDS information sheet was pretty valid, and perhaps should also include information from the Water Board. Mr. Pupka replied that the AQMD and the Water Board *required* the landfill use the leachate/condensate for dust control. Mr. Jones commented that they do use the leachate, but that it is very closely regulated. He feels the landfill is generally in compliance with these conditions.

Mr. Hecht (audience): He wanted to know about the times for queuing of the trucks; this is dependent on their CUP conditions – start at 5:30 am, and the number of trucks depends on how many can fit inside at a time.

3. **SCL-LEA:** David Thompson: The last two months there were two violations for landfill gas at perimeter probes, which registered at > 5% emissions of methane. This is an intermittent continuing problem. They are required to take immediate action to mitigate it, and to turn in a mitigation plan to the LEA and to Cal Recycle on how to cure. This was due October 19th; it was submitted and reviewed. Two of three probes involved are in compliance now. The third is in an area known to have had gas problems before the landfill, from natural sources due to the previous oil fields. There is a 45-day period to do the testing at this site.

On October 5th, there was the first rain of the season. The landfill held up very well to the 2.39" that fell on the site, compared to last year. The whole damaged eastern channel was fixed, and there probably will not be erosion such as that occurred last year. There are areas of concern. Long lines of queuing trucks require better spotters; they have been given radios. One of the roads had a flooding issue, but none of the roads were closed. Reports are available online at www.sclea.org.

Mr. Williams (audience): He wanted to know which agency is responsible for the CUP when it renews; they should have this information before then. He asked whether any of the agencies is planning to do something about this long string of worsening complaints. Mr. Thompson answered that the County's side falls under the jurisdiction to Los Angeles County Planning, while the City's side is handled by the Los Angeles City Planning Department, which was responsible only for zoning changes. Representatives of both agencies attend the CAC meeting.

Mr. Kroy (audience): He asked a question as to whether the State has overriding approval power. Mr. Thompson said that Cal Recycle works through the LEA to enforce Title 27.

Mr. Mohajer (audience): He commented that the 5-Year Review to most CUPs is not applicable to this one, but the "Solid Waste Facility Permit" issued by the LEA does have a 5-Year Review, which is up in 2013

Mr. Tsuda (Program Manager, LEA): He commented that the AQMD Board of Directors met this week and supported the actions of the SCL-LEA. Ms. Jill Whynot, Assistant Deputy Executive Officer of the AQMD, said the Board passed a motion that said the SCL-LEA, and the AQMD were on the right track. The environmental observer permanently will influence the repairs, and this is an important condition in the petition. This position is funded by Republic, but is independent, and not under the organizational control of Republic. They will post this information on the website.

4. **City and County Planning Departments:** Iris Chi, of the LA County Regional Planning Department, clarified that the CUP does not expire until 2036; the renewal process will start in 2031. County Planning mostly deals with land use issues, and they rely on experts like the LEA and AQMD for their technical knowledge.

An audience member wanted to know what, then, could stop the landfill, as he felt that agencies are doing nothing about years of worsening complaints? Ms. Chi said this was a hard question to answer; the landfill is a necessity and cannot cease operations.

Ms. Kienholz commented that she did not remember the exact date that in approximately 2005 the North Valley Coalition sued the City side of the landfill, and it was closed for a time. Then the County opened a landfill adjacent to the closed portion. The City Council, which had voted to close it temporarily, decided a year later that they needed it and re-opened it.

Ly Lam, of Los Angeles City Planning, said one of the conditions is an environmental review, which will take place in 2015. TAC would go through the review. There is no City CUP, just a Zone Change approved by City Council. Mr. Thompson clarified that in 1999 the zoning changed from Agricultural to Heavy Industrial (M3). There are a number of Q-Conditions as part of the zone change. Mr. Hunter commented that the previous zoning was M3 (heavy manufacturing), which essentially allowed almost anything. If any of the Q-Conditions are violated, City Planning can be asked to take action. On the County side, any violation of the CUP may lead to action by them. Currently the Conditions say that whichever Condition is more restrictive is applicable. An audience member asked what the process would be for revocation of the landfill permit; Mr. Hunter asked him to direct the question to the City and/or County attorneys.

5. Other persons representing City, County, or State: Jarrod Degonia introduced himself. He will replace Millie Jones (LA County) on November 15th, as Field Deputy for Supervisor Antonovich. Until then he continues at the office of Cameron Smythe and can be reached at 661-286-1565.

D. Public Comment: Mr. Williams (audience): He commented that a number of the neighbors near the landfill have contacted the CDC (Center for Disease Control) in Atlanta. They hope the CDC authority has precedence over local agencies, which he feels are not adequately protecting the public.

Ms. Mann (audience): She commented that part of the problem the landfill has had with revegetation may be that they are concentrating on plants where she said the soil is everything. Mr. Cieply (BFI) replied that they hired an outside company with expertise in these matters, and that he is confident they had done soil analyses. At any rate, the seeding is for temporary re-vegetation; the permanent plan calls for other plants.

Mr. Mathrani (audience): He wanted to know how much money is in the Sunshine Canyon Landfill Amenities Fund and what it is used for. Mr. Hunter replied that ten months ago the Fund was at \$5 million, but that \$2 million has been spent on the new Aliso Park, \$2 Million for a park in Sylmar, \$600k loaned to the LAPD [which should be repaid], \$100k was used to remove dead trees, and some money was used for a sidewalk grinding project in the North Valley. The Sunshine Canyon Amenities Fund is replenished by a per-ton fee on matter accepted at the

landfill. The funds are supposed to be used “in the neighborhood”, but that has been interpreted very broadly.

Mr. Mohajer (audience): He commented that BFI dedicated Elsmere Canyon to the City of Santa Clarita; that represented a lot of money. Mr. Hunter commented that there were more steps: BFI sold their interest in that land to Clark Industries, which deeded it over to Santa Clarita. They (SCL) also dedicated 400 acres for Bee Canyon Park and the Michael Antonovich Park. Mr. Teter added that in addition to the Amenities Fund, \$0.50 per ton goes to maintain City parks. Mr. Hunter added that there is a Fund for the City, another for the County, and another for Recreation & Parks.

Mr. Mohajer (audience): He commented on the earlier discussion, that the CUP can be revoked, and the operating permit as well, but the reasons need to be substantiated, due process must be followed, so it takes time to do it. He said that shutting down the landfill does not necessarily cure the problem because the gas is generated by decomposition of what is already there.

This portion of the meeting adjourned at 4:55 p.m. A special meeting on SCL-CAC administrative and budget will reconvene in approximately 15 minutes.

E. Special Overtime for Discussion of Financial Matters reconvened at 5:17 p.m. Ms. Armoudian left the meeting, but quorum was maintained with six members.

Mr. Hunter pointed out the aerial photos of the landfill which were completed and are displayed at the back of the room. The CDs would be available the next day, and he will make it available to the CAC members.

On the website, he reminded the CAC that he had sent out a test version. He did not formally ask for comments, but he is compiling feedback he receives and will have it at the next meeting. A discussion ensued about what to put on the website. It was informally agreed that the website would primarily be used for access to documents, not general items like a long list of community organizations or community events. Mr. Hunter commented that this is a dry subject, and they tried to give it a “flavor” different from the websites of the AQMD and LEA, something more accessible and a source for all the information about this particular landfill. Also the website should reflect some of the history, and give people an idea of when and why the CAC was formed, and that the intent of the CAC is to represent the community.

There has been no change in the project for a copy machine, as there is really no practical place to put it. There was a discussion of security, since the audience at the September meeting got quite loud and rambunctious, and could easily have gotten out of hand. Mr. Hunter checked with the LAPD, and it costs \$50/hr for a non-uniformed officer, with a 4-hour minimum. The General Manager of the Knollwood Country Club can also have people removed. Ms. Capaldi remarked that the fee is ridiculous, and that the CAC may be able to get the LAPD SLO (Senior Lead Officer) for the area to attend. The problem is that it cannot

be predicted when such an issue will arise. Ms. Gundersen suggested checking out private security. Mr. Hunter will follow up.

On banking, the CAC now has three accounts, a savings account with interest (the consultant account); an interest-bearing checking account for administrative purposes; and now a checking account for consultant expenses. This was necessary to avoid mixing the two funds whenever something had to be paid from the consultant fund. If the balance is under \$2,400, there is a monthly fee of \$16.

There was a discussion of the funds due from Republic October 1, 2011. Last year there was a three-month delay, and this year they are again late. There is no penalty to them for late payment. There was a suggestion that the Chair write a letter to them reminding them of the MOU, with a copy to City and County attorneys.

On the tax status – some of the consultant budget was spent on legal assistance from Byman and Cleary, experts in Non-Profits. Mr. Hunter received a letter from them today but is not happy with it, and thinks that it can be worded better. The history is that at the time the landfill became a combined City and County responsibility, the County had a budget of \$20,000 for the CAC. An earlier County attorney had opined that the CAC was entitled to the then \$12,000 a year. The CAC wanted to get \$160,000 in arrears, but the County didn't want to do anything – and that's how the MOU process began. The agreement now is that the consultant fund is replenished at \$20,000 a year, with a balance not to exceed \$120,000; and \$6,000 is replenished annually for administrative expenses.

The 2012 confidential draft budget was distributed, as well as the previously approved one from October 2010.

F. **Adjourned** at 5:50 P.M.

Minutes by Agnes Lewis, Notetaker. Approved by Committee as amended January 5, 2012.